

AMENDED IN SENATE MARCH 19, 2012

SENATE BILL

No. 1076

Introduced by Senator Emmerson

February 14, 2012

An act to add and repeal Section 38568 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1076, as amended, Emmerson. California Global Warming Solutions Act of 2006: tire inflation regulation.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. A violation of a regulation adopted by the state board pursuant to the act is subject to specified civil and criminal penalties. Pursuant to the act, the state board adopted a regulation requiring automobile service providers, by September 1, 2010, among other things, to check and inflate vehicle tires to the recommended pressure rating when performing automobile maintenance or repair services.

This bill, until January 1, 2018, would require a tire pressure gauge used to meet the requirements of this regulation to be accurate within a range of plus or minus 2 pounds per square inch of pressure (2 psi). The bill, until January 1, 2018, would authorize automotive service providers to meet the requirements of the regulation without checking

and inflating a vehicle's ~~tire tires~~ if ~~that tire is~~ *those tires are* determined to be an unsafe tire, as defined, ~~or that tire has tire age, as specified.~~ The bill, *until January 1, 2018*, would require the state board to adopt regulations on tire age *and safety* if the National Highway Traffic Safety Administration ~~publishes findings~~ *adopts regulations* establishing a correlation between tire age and safety.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 38568 is added to the Health and Safety
2 Code, to read:
3 38568. (a) Tire pressure gauges used to meet the requirements
4 of Section 95550 of Title 17 of the California Code of Regulations
5 shall be accurate within a range of plus or minus two pounds per
6 square inch of pressure (2 psi).
7 (b) For purposes of Section 95550 of Title 17 of the California
8 Code of Regulations, automotive service providers are not required
9 to check and inflate a vehicle's ~~tire tires~~ if ~~any of the following~~
10 ~~applies:~~
11 ~~(1) That tire is determined to be an unsafe tire~~ *the tires are*
12 *determined to be unsafe.* As used in this subdivision, "unsafe tire"
13 means any tire considered unsafe in accordance with standard
14 industry practices due to tire tread wear, tread irregularity, or
15 damage. Examples include any tire with an exposed ply or cord,
16 a sidewall crack, a bulge, a knot, or a ply separation.
17 ~~(2) (A) That tire has tire age. As used in this subdivision "tire~~
18 ~~age" means any findings published by the National Highway~~
19 ~~Traffic Safety Administration that establish a correlation between~~
20 ~~tire age and safety.~~
21 ~~(B) If the National Highway Traffic Safety Administration does~~
22 ~~make findings establishing a correlation between tire age and~~
23 ~~safety, the state board shall adopt regulations consistent with those~~
24 ~~findings for purposes of Section 95550 of Title 17 of the California~~
25 ~~Code of Regulations.~~
26 *(c) As of January 1, 2013, there is no federal, state, or*
27 *industrywide adopted standard regarding tire age and safety. If*
28 *the National Highway Traffic Safety Administration adopts*
29 *regulations establishing a correlation between tire age and safety,*

1 *the state board shall adopt regulations consistent with those federal*
2 *regulations for purposes of Section 95550 of Title 17 of the*
3 *California Code of Regulations.*

4 ~~(e)~~

5 (d) This section shall remain in effect only until January 1, 2018,
6 and as of that date is repealed, unless a later enacted statute, that
7 is enacted before January 1, 2018, deletes or extends that date.

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